This regulation provides necessary information regarding reporting and investigating procedures for harassment and bullying. **Keller ISD does not tolerate bullying and harassment.**

Definitions

Bullying: A single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves written or verbal expression, including electronic communication, or physical conduct that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property or on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity, and that:

(1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;

(2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;

(3) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or

(4) infringes on the rights of the victim at school, including cyberbullying (see definition below).

See District policy FFI for additional information regarding bullying.

Cyberbullying: Bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet based or electronic communication tool and that occurs off school property or outside of a school-sponsored or school-related activity, if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Harassment: Physical, verbal, or nonverbal conduct based on a student's race, color, religion, sex, gender, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Dating violence is also considered harassment under this heading. For more information on harassment and examples of harassment, please see Keller ISD policy FFH(Legal) and (Local).

Reporting

Students and parents reporting an allegation of bullying/harassment, are asked to use the anonymous form located on the District site by clicking on the Report Bullying link or make the report of bullying/harassment

to a campus administrator in person, through email, or by phone.

Administrators investigating a report of bullying/harassment must use the District Anti-Bullying Investigation Form located on Kcloud in Laserfiche.

Investigations

Bullying/harassment investigations are to be reliable, impartial, and must include the opportunity for involved parties to present witnesses and other evidence.

Investigative action steps may include, and are not limited to the following:

- Once a report is made, the campus must notify the guardians of both the alleged victim and the alleged perpetrator within three days.
- The principal or designees must take appropriate action to prevent bullying/harassment and avoid retaliation during the course of the investigation.
- The principal or designees must refer complainants to law enforcement authorities when appropriate.
- The bullying/harassment investigation protocol must be followed regardless of whether the alleged bullying/harassment is also being investigated by another agency, including a law enforcement agency, unless particular procedural steps would directly impede a criminal investigation per the agency.
- To comply with law enforcement requests, a temporary suspension of fact-finding may occur. Once notified by the law enforcement agency, the District's investigation will resume.
- All known witnesses must be interviewed and all known evidence must be reviewed.
- Every effort must be made to maintain confidentiality of the complainant and the overall investigation.
- Once all information is gathered, campus administration must make determinations as to whether or not the alleged conduct: (1) occurred and (2) constitutes bullying or harassment.
- Findings are to be supported using a preponderance of the evidence.
- Bullying investigations must be completed within ten school days. Contact Student Services if the investigation is to extend outside the ten-day window.
- Guardians of the alleged victim and the alleged perpetrator must be notified of the campus's findings.(Per federal confidentiality laws, information shared with the guardian may only pertain to their own child.)
- All instances of bullying/harassment must be tracked using the District's Anti-Bullying Investigation Form.

Appeals

Should a student or parent be dissatisfied with the results of an investigation regarding bullying/harassment, please provide the contact number for Student Services where they can request an appeal. Appeals will be conducted in accordance with District policy FFH, FFI, and FNG.

Consequences

Students found to have engaged in acts of bullying/harassment must be promptly disciplined in accordance with the Student Code of Conduct. Disciplinary actions may include removing a child from a classroom,

removal of privileges, in-school and out-of-school suspensions, a transfer to another campus, or placement at an alternative education placement.

Contact Student Services for additional assistance.

Remember, it is the campus's responsibility to ensure appropriate actions have been taken once bullying/harassment has been identified. It is also the campus's responsibility to ensure that appropriate actions have been take to remedy the discriminatory effects on the victim, including the provision of counseling to students who have been subjected to or who have engaged in sex-based and/or cyber-based bullying/harassment.

Retaliation

Retaliation of any kind is prohibited and will not be tolerated. The campus must make every effort to ensure that a student making a report of bullying/harassment, serving as a witness, or participating in the investigation is not a victim of retaliation. Title IX also prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.

Student Transfers Based on Bullying

For student transfers based on bullying or harassment, please refer to policy FDB(Legal).